

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

— v. —

BRIAN SWIENCINSKI, SCOTT BREIMEISTER,
VLADIMIR REDKO, M.D., CHRISTOPHER
INCE, M.D., and RONNIE MCADA, JR.,
Defendants.

No. 4:18-cr-00368

**DEFENDANT BRIAN SWIENCINSKI'S UNOPPOSED MOTION FOR EARLY
PAYMENT OF RESTITUTION**

Defendant Brian Swiencinski by and through the undersigned counsel, hereby files this Motion for Early Payment of Restitution and states the following:

1. On March 15, 2024, the Court entered its order setting deadlines related to the sentencing in this matter [Dkt. 619].
2. United States Probation Office filed its preliminary Presentence Investigation Report on September 5, 2024 [Dkt. 669].
3. Defendant, Brian Swiencinski, filed his objections and clarifications to the preliminary Presentence Investigation Report on September 27, 2024 [Dkt. 678].
4. On October 2, 2024, United States Probation Office filed its final Presentence Investigation Report and Addendum [Dkt. 684 and 685].
5. Sentencing is scheduled in this matter for November 14, 2024, at 10:30 a.m.
6. In Mr. Swiencinski's Plea Agreement and as noted in the final Presentence Investigation Report, the total restitution figure to be paid is \$5,214,366.71 owed joint and several with several other defendants. Mr. Swiencinski intends to make full

restitution (current estimate at \$4,149,507.71)¹ prior to the date of sentencing in this matter, and hereby requests permission to do so such that the payment is credited accordingly. After speaking to the clerk's office, Mr. Swiencinski asks leave of the court to make said pre-sentencing payment into the registry of the court in order to ensure it is credited correctly to his restitution.

WHEREFORE, PREMISES CONSIDERED, Mr. Swiencinski prays that the Court enter an Order granting permission and leave for him to make this early restitution payment, and an Order directing the Clerk to apply and credit this payment appropriately in the Court's registry to his restitution. Mr. Swiencinski prays for such other and further relief to which he may be entitled.

Dated: October 9, 2024

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Respectfully submitted,

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Counsel for Defendant Brian Swiencinski

¹ Maximum restitution \$5,214,366.71 -\$822,293.43(Brickman) -\$80,500(Buckingham) -\$162,060.58(Ince)= 4,149,512.70. If this figure is later determined to be inaccurate, Mr. Swiencinski will pay full restitution **immediately** of whatever amount is deemed still owed.

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Motion for Early Payment of Restitution to be served on all counsel of record by filing it with the Clerk on October 9, 2024, using the Court's CM/ECF System.

/s/ Brandon McCarthy

Brandon McCarthy

CERTIFICATE OF CONFERENCE

I hereby certify that, on October 9, 2024, counsel to Mr. Swiencinski has conferred with counsel for the United States, who represented that they have no objection to Mr. Swiencinski's relief requested herein.

/s/ Brandon McCarthy

Brandon McCarthy